

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Section 73.202(b))	MB Docket No. 03-245
Table of Allotments,)	RM-10826
FM Broadcast Stations.)	
(Durant, Oklahoma and Whitewright, Texas))	

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: March 17, 2004

Released: March 19, 2004

By the Assistant Chief, Audio Division:

1. In response to a Petition for Rule Making filed by NM Licensing LLC ("Petitioner"), the Audio Division has before it a *Notice of Proposed Rule Making*¹ proposing the reallocation of Channel 248C2, Station KLAQ(FM) from Durant, Oklahoma, to Whitewright, Texas, as Whitewright's first local aural transmission service. On the date for filing comments, Petitioner filed a request for dismissal of its proposal to reallocate Channel 248C2 to Whitewright, Texas.² No other comments were received.

2. A showing of continuing interest is required before a channel will be allocated. It is the Commission's policy to refrain from making an allocation to a community absent an expression of interest. Therefore, we will grant Petitioner's request to dismiss the instant proposal.

3. Accordingly, IT IS ORDERED, That the Petition for Rule Making filed by NM Licensing LLC IS DISMISSED.

4. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief, Audio Division
Media Bureau

¹ *Durant, Oklahoma and Whitewright, Texas*, 18 FCC Rcd 25622 (MB 2003).

² In accordance with Section 1.420(j) of the Commission's Rules (47 C.F.R. § 1.420(j)), Petitioner states that it has not been promised or paid, either directly or indirectly, any consideration in connection with the dismissal of its petition.